



**EXAMINING BOARD OF PSYCHOLOGY
MEETING MINUTES**

April 11, 2008

LOCATION: Department of Health
310 Israel Road Southeast, Room 152/153
Tumwater, Washington 98501

BOARD MEMBERS PRESENT: Thomas Wall, Ph.D., Chair
Carol Pahlke, Ph.D., Vice-Chair
Ray Harry, Public Member
Christine Guzzardo, Ph.D.
Benjamin Johnson, Psy.D.
Timothy Cahn, Ph.D.
Decky Fiedler, Ph.D.

BOARD MEMBERS ABSENT: Jorge Torres-Saenz, Psy.D.

STAFF PRESENT: Karen Kelley, Deputy Executive Director
Leslie Magby, Acting Program Manager
Brian Payne, Staff Attorney
Mike Ellsworth, Staff Attorney
Dianna Staley, Legislative/Policy Analyst
Margaret Gilbert, Senior Staff Attorney

AAG PRESENT: Mark Calkins, Assistant Attorney General (AAG)

On April 11, 2008 the Examining Board of Psychology (Board) met in Tumwater, Washington at the Department of Health, 310 Israel Road Southeast, Tumwater Washington 98501, in accordance with the Open Public Meetings Act. The meeting agenda was e-mailed to members of the Examining Board of Psychology Listserv.

OPEN SESSION

1. CALL TO ORDER – Thomas Wall, Ph.D., Chair

9:13 AM

1.1 The agenda was approved with the following amendments:

- Item 13 – Moved to follow Item 7.
- Item 2.4 – Addition to agenda.

1.2 The meeting minutes from February 29, 2008 were approved as published.

2. ASSISTANT ATTORNEY GENERAL (AAG) REPORT – Mark Calkins, AAG

- 2.1 Mark Calkins shared with board members a draft of an interpretive policy to clarify the board's position that under WAC 246-924-043, any internship hours obtained by an applicant in excess of 1,500 hours could be applied towards the remaining 1,500 hours required under WAC 246-924-043(1)(c). Ray Harry moved to adopt the interpretive policy as written. The motion passed.
- 2.2 Mark Calkins explained to board members that the Public Records Act has an exemption for public inspection and copying of exams, listed in RCW 42.56.250(1). Based on this, the exams are essentially copyrighted. Board members made the decision to leave the examination as it is, without copyrighting the contents.
- 2.3 Mark Calkins discussed the practicum rule, WAC 246-924-049. The rule describes the content of the practicum but does not define the qualifications of practicum supervisors. Based on this, WAC 246-924-049 allows the doctoral degree program some latitude about whom it will employ to provide supervision. **ACTION** – Mr. Calkins will draft an interpretive policy of this rule and will share with board members at the next meeting.
- 2.4 Mark Calkins reported that the King County Prosecuting Attorney's Office (KCPAO) has requested an amicus brief from the board in a case recently accepted for review by the Court of Appeals, Division I. The request is for the board (upon the Court's approval) to file an amicus brief supporting a statutory interpretation position of the King County Prosecuting Attorney's Office (which represents the State in this appeal). The KCPAO interprets language in RCW 71.09.090(4)(b) regarding "evidence from a licensed professional" as necessarily implying that the professional, such as a psychologist, is licensed in the State of Washington. This is only one of the issues in the appeal. **ACTION** - Mr. Calkins will review copies of the relevant court documents and report to the board for its consideration at a future meeting. He stated that an "amicus" brief is a brief that provides additional information to the court on a particular issue in a case. The party filing an amicus brief does not intervene in the case as a party, except to the extent of filing a brief providing input to the court on authority supporting its position on an issue. Dr. Cahn moved to authorize mark to proceed. The motion passed.

3. PRE-EMPLOYMENT PSYCHOLOGICAL EVALUATIONS OF CANDIDATES FOR PUBLIC SAFETY POSITIONS – Dr. Jim Shaw

Dr. Shaw discussed the use of pre-employment psychological evaluations of candidates for public safety positions, as described in RCW 43.101.080. In the early 1980s, a group of police psychologists was created called International Association of Chiefs of Police (IACP). Currently, there are no comprehensive standards for conducting pre-employment psychological evaluations of candidates for public safety positions. The only standards are listed in RCWs 43.101.080 and 43.101.095.

Dr. Shaw is aware of one individual who was disqualified for employment by two different psychologists but is now working for another agency. This seems to be an ongoing issue where the psychologist performing the second evaluation is not contacting the first evaluator to ask why the candidate was denied. This should be considered a matter of unprofessional conduct in the field of psychology.

Dr. Shaw feels the “Guidelines for Consulting Police Psychologists” ratified by the IACP Psychological Services Section would be the best model for creating standards for Washington State. Dr. Shaw asked the board to develop guidelines for conducting pre-employment psychological evaluations, in conjunction with the Criminal Justice Training Commission. Dr. Lucy Homans suggested the American Psychological Association assist in the process. Dr. Wall suggested a sub-committee may be appointed to address this issue.

4. RULES UPDATES

4.1 Mandatory Reporting Rules – Dianna Staley informed board members that the mandatory reporting rules were going to be opened up again due to the requirements of HB1103. HB2974 amended one piece of the Uniform Disciplinary Act (UDA) and HB1103 amended a separate section of the UDA. Communications will be sent to the listserv regarding the rulemaking process.

4.2 Oral Examination – Leslie Magby informed board members the CR-103 would be filed immediately after Dr. Wall signed the form. These rules will eliminate the oral examination and instead only require a written jurisprudence examination as part of the licensure requirements.

5. PUBLIC COMMENT

LUNCH Lunch was provided to board members.

6. EXAMINING BOARD OF PSYCHOLOGY SUB-COMMITTEES

Board members broke into sub-committees to review the status of current projects. The following sub-committees had information to report to board members:

SUB-COMMITTEES

The **Examination Sub-Committee** reported that they are in the process of developing a new policy for approving accommodation requests for the EPPP and jurisprudence examination. Mark Calkins will assist Dr. Wall and Dr. Guzzardo in this process. **ACTION** – The sub-committee will draft a formal policy for approving accommodation requests for the exams.

The question was brought up of who has been approving accommodation requests in the past. It was determined that department staff were approving these requests. Dr. Guzzardo moved that future requests for accommodations for the EPPP and jurisprudence exam be brought to the board for approval. The motion passed.

7. MANAGER REPORTS

7.1 Leslie Magby presented current licensing statistics to board members.

Credentialing Statistics-March 26, 2008

Active	2,018
Military	5
Retired	87
Expired	859

7.2 Karen Kelley discussed the current budget with board members. The March interim report indicated a current balance of \$291,853. A bill was passed in this legislative session to allow health care professions to raise fees.

7.3 Karen Kelley informed board members that the registered counselor bill passed, abolishing the RC credential and creating eight new credentials. This is going to involve an extensive implementation and rulemaking process.

7.4 Tammy Kelley informed board members that the department's new licensing system is not collecting disciplinary data correctly but it is being corrected. Ms. Kelley informed the board they are doing a great job in moving disciplinary cases through the system quickly.

8. CONSENT AGENDA

The items listed under the consent agenda (informational items) are considered routine agency matters and were approved by a single motion of the board without separate discussion.

8.1 March 2008 issue of "The Sentinel News for Department Employees"

8.2 "We Aspire" Health Professions Quality Assurance March 2008 monthly report

9. ONE DAY RETREAT DISCUSSION

Dr. Wall asked board members to e-mail any potential retreat agenda items to him.

10. ACCEPTABLE CONTINUING EDUCATION COURSE IN ETHICS

Dr. Fiedler believes the board should specify what needs to be included in the required continuing education course in ethics for licensed psychologists. Dr. Cahn is reluctant to micromanage the continuing education courses psychologists take. The main intention of the ethics course is to increase competency. **ACTION** – The issue is being referred to the Competency Sub-Committee for further discussion.

11. REQUEST FOR LIST & LABELS

Board members approved the request for list and labels of psychologists in Washington State for the following group:

- ContinuingEdCourses.Net, Inc.

12. REQUEST FOR APPROVAL TO RE-TAKE THE JURISPRUDENCE EXAMINATION

Ray Harry moved to approve the request from applicant Brandie Anders to re-take the jurisprudence examination. The motion passed.

13. APPLICATION REVIEW OF KATALIN MELEGH, PH.D. FROM BUDAPEST, HUNGARY

Board members reviewed the application of Katalin Melegh, Ph.D. from Budapest, Hungary. It was unclear to board members whether her education is substantially equivalent to standards in Washington State. The board determined Ms. Melegh needs an equivalency evaluation of her education completed before further review. **ACTION** – Leslie Magby will draft a letter to Ms. Melegh with Mark Calkin's assistance.

14. FUTURE AGENDA ITEMS – Thomas Wall, Ph.D., Chair

Future meeting agenda items were discussed.

CLOSED SESSION

15. CASE REVIEW

STIPULATION TO INFORMAL DISPOSITION

Docket Number: M2008-117343

Staff Attorney: Brian Payne

16. CASE PRESENTATIONS AND CONTINUING EDUCATION AUDIT REVIEWS

- 16.1** Board members broke into panels to discuss and determine whether the cases presented should be investigated, closed, or moved to the informal or formal resolution process.
- 16.2** Board members broke into panels to review and determine whether continuing education materials submitted during the audit meet the continuing education requirements.

17. ADJOURNMENT

1:47

The next scheduled meeting dates for 2008:

- **May 23rd** – Hawthorne Suites, Kent
- **July 11th** – Tumwater
- **August 22nd** – Seattle
- **September 26th** – Department of Health, 101 Israel Road, Town Center 1, Room 163, Tumwater
- **November 14th** – Vancouver Area

The next scheduled orientation dates:

- **November 13th** – Vancouver Area

17. ADJOURNMENT – Thomas Wall, Ph.D., Chair

3:00 PM

Submitted by:

Leslie Magby, Acting Program Manager
Examining Board of Psychology

Approved by:

Thomas Wall, Ph.D., Chair
Examining Board of Psychology